

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Panchayats – Smt. D. Kavitha, Sarpanch(Removed), Vavilkole Gram Panchayat, Gundlapally Mandal, Nalgonda District – Appeal Petition filed against the proceedings of the District Collector (PW), Nalgonda District – Allowed – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.II) DEPARTMENT

G.O.Rt.No. 191

Dated:10- 02-2011.
Read the following:-

- 1) From the Dist. Collector (PW), Nalgonda District, Proc.No.491/2010-B1(Pts)-2, Dated 26.07.2010.
- 2) Appeal Petition received from Smt D. Kavitha, Sarpanch(Removed), Gram Panchayat Vavilkole of Gundlapally Mandal of Nalgonda District, dt. 06-08-2010.
- 3) Govt. Memo.No.17657/Pts.II/A1/2010-1, Dated 07.08.2010.
- 4) From the Dist. Collr., (PW), Nalgonda, Roc.No.491/2010-B1(Pts), dt.13.8.2010 received on by Fax dt 20-01-2011.
- 5) From the Asst. Registrar, APHC, Hyd., W.P.No.22612 of 2010, dt, 9.9.10.
- 6) From the Asst. Registrar, APHC, Hyd., Contempt Case No. 1882/2010,dt, 1-12-2010 received on 21-01-2011.
- 7) From the Govt. Pleader for PR & RD,APHC,Hyd., Lr No. 1882/2010/DPRR/P.Raj,dt 29-01-2011.
- 8) From the DPO,Nalgonda Roc.No.491/2010-B1(Pts), dt. 27-12-2010.

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ORDER:

In the reference 1st read above, the District Collector (PW), Nalgonda District has removed to Smt. D. Kavitha from the Post of Sarpanch,Vavilkole Gram Panchayat, Gundlapally Mandal of Nalgonda District U/s. 249(1) and 265(1) of APPR Act, 1994 for recover of for misappropriation of Gram Panchayat funds.

2. Aggrieved by the said orders, in the reference 2nd read above, Smt. D. Kavitha, Sarpanch (Removed), Vavilkole Gram Panchayat, Gundlapally Mandal, Nalgonda District has filed an Appeal Petition before Government with a request to grant stay against the proceedings of District Collector issued vide reference 1st read above. Government while granting stay against the proceedings of the District Collector (PW), Nalgonda has called his report in the matter vide reference 3rd read above.

3. The District Collector (PW), Nalgonda has stated that based on the complaint given by the Upa-Sarpanch, Vavilkole Gr.Pt. about the Drinking water, it has directed to the DLPO, Miryalguda to conduct enquiry and submit his report for further action in the matter. The Tahsildar, Gundlapally has been appointed as Enquiry Officer to conduct detailed enquiry into the matter against the Sarpanch, Gram Panchayat, Vavilkole by fixing on 22.4.2010 and to submit his detailed report within (7) days.

4. The Tahsildar, Gundlapally has submitted his enquiry report. Based on the report (2) Show-Cause Notices have been issued against the Sarpanch, Gram Panchayat, Vavilkole of Gundlapally Mandal duly framing (10) allegations calling his explanation U/s.265(1) for recovery and 249(1) for removal under APPR Act, 1994. The Sarpanch has submitted her explanation to the Show-Cause and requested to withdraw the allegations leveled against her. The same has been referred to the Tahsildar, Gundlapally for his remarks. The Tahsildar, Gundlapally has submitted his findings. As per the remarks submitted by the Enquiry Officer, Smt. D. Kavitha, Sarpanch, Gram Panchayat Vavilkole of Gundlapally Mandal has been removed from the office of the Sarpanch, Gram Panchayat Vavilkole of Gundlapally Mandal U/s.249(1) of APPR Act, 1994 as the allegations leveled against the Sarpanch are held proved and also authorized the Mandal Parishad Development Officer, Gundlapally to recover the misappropriated amount of Rs.4,01,396/- U/s.265(1) of APPR Act, 1994 and under R.R. Act read with G.O.Ms.No.118(Rev.), dt.18.3.2002 within (45) days.

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5. In the reference 5th read above the Hon'ble High Court in W.P. No. 22612 of 2010 filed by D. Damodhar Rao dt.9.9.10 has directed to Government to dispose the case within a period of two months by disposing the case, and the Government Pleader for PR & RD, High Court Hyderabad has also informed that Sri D. Damodhar Rao has filed a Contempt case and requested to dispose the case on or before 29-01-2011.

6. In the reference 8th read above the District Panchayat Officer, Nalgonda has submitted his report and the case was heard on 29.01.2011. The District Panchayat Officer, Nalgonda District and the petitioner have attended the hearing. On the hearing, it is observed that the Sarpanch has attended to the needs of the Gram Panchayat for the benefit of the villages by meeting the amount with the counter signature of the Executive Officer, PR. The works were also made M.B by the Engineering Staff. Even after removal, the Sarpanch attended the works with a view that the villagers could not suffer by meeting the expenditure from own funds.

7. The Government after hearing the Appeal Petition and after perusing the available records, hereby allow the Appeal Petition filed by Smt. D. Kavitha, Sarpanch and also set aside the orders of the District Collector (PW), Nalgonda issued vide reference 1st read above.

8. The District Collector (PW), Nalgonda District is hereby directed to get it **“enquired by the Deputy Executive Engineer (RWS) concerned about the actual works done by the Sarpanch and arrange to make payment with the Joint Signature of the Sarpanch and Executive Officer (PR) for the works already done”**.

9. The District Collector (PW), Nalgonda District shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**Dr. RAJIV SHARMA,
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The District Collector (PW), Nalgonda District.

Copy to:-

The Commissioner PR&RE., A.P. Hyderabad.

The District Panchayat Officer, Nalgonda District.

Smt. D. Kavitha, Sarpanch (Removed), Vavilkole Gram Panchayat,
Gundlapally Mandal, Nalgonda District.

The Govt. Pleader for PR & RD, A.P. High Court, Hyderabad.

The P.S. to Hon'ble M.(PR & RWS)

The P.S. to Prl.Secy., PR&RD Dept.

Sf / Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER